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ChriMar Systems Inc. d/b/a CMS Technologies and
ChriMar Holding Company, LLC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ChriMar Systems Inc. et al.,

Plaintiffs,

v.

Cisco Systems Inc., et al.,

Defendants.

Case No. 4:13-cv-1300-JSW

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE THE HEARING
DATE FOR PLAINTIFF CHRIMAR'S
MOTION TO DISMISS
COUNTERCLAIMS (DOCKET NO. 202)

Judge: Honorable Jeffrey S. White
Magistrate Judge: Maria-Elena James

Pursuant to Civil L.R. 6-1(b), 6-2 and 7-7, the parties hereby jointly stipulate and request that the Court continue the current hearing date on the Motion to Dismiss Defendants HP and Cisco's Monopolization and Section 17200 Counterclaims and HP's Attempted Monopolization

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE THE
HEARING DATE FOR PLAINTIFF CHRIMAR'S MOTION TO
DISMISS COUNTERCLAIMS (DOCKET NO. 202)

Case No. 4:13-cv-1300-JSW

Counterclaim (Dkt. No. 202) filed by Plaintiff ChriMar Systems, Inc. d/b/a CMS Technologies and ChriMar Holding Company, LLC's (collectively, "ChriMar" or "Plaintiff"). This request is supported by good cause and will not affect any other deadlines in this case, as addressed in the attached Declaration of Brandon M. Jordan.

WHEREFORE, the parties respectfully stipulate and move that the Court enter this stipulation to continue the hearing date from October 3, 2014 to October 17, 2014, as set forth in the attached proposed order.

Dated: September 2, 2014

Respectfully submitted,

McKool Smith

By: /s/ Brandon M. Jordan

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Attorney for Plaintiffs ChriMar Systems

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Dated: September 2, 2014

Respectfully submitted,

By: /s/ Michael W. De Vries

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*Attorneys for Defendants
Cisco Systems Inc. and Linksys LLC f/k/a/
Cisco Consumer Products LLC*

Dated: September 2, 2014

Respectfully submitted,

By: /s/ Charles J. Hawkins

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*Attorneys for Defendant
Hewlett-Packard Co.*

Pursuant to the Civil Local 5-1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from counsel for defendants.

Dated: September 2, 2014

McKool Smith P.C.

/s/ Brandon M. Jordan

McKool Smith Hennigan
A Professional Corporation • Attorneys
Redwood Shores, California

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION

4 ChriMar Systems Inc. et al.,
5
6 Plaintiffs,
7 v.
8 Cisco Systems Inc., et al.,
9 Defendants.

Case No. 4:13-cv-1300-JSW

DECLARATION OF BRANDON M. JORDAN IN SUPPORT OF THE PARTIES' STIPULATION TO CONTINUE THE HEARING DATE FOR PLAINTIFF CHRIMAR'S MOTION TO DISMISS COUNTERCLAIMS (DOCKET NO. 202)

Judge: Honorable Jeffrey S. White
Magistrate Judge: Maria-Elena James

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13 **DECLARATION OF BRANDON M. JORDAN**

14 I, Brandon M. Jordan, the undersigned, declare:

15 1. I am an attorney licensed to practice law in the District of Columbia. I am an
16 attorney with the law firm of McKool Smith, P.C., counsel for Plaintiffs ChriMar Systems Inc.
17 and ChriMar Holding Company LLC ("ChriMar") in the above-captioned action. I have
18 personal knowledge of the matters set forth below and if called and sworn as a witness, I could
19 and would testify competently to the facts set forth herein.

20 2. The parties believe that there is good cause for the requested continuance as stated
21 in the subsequent paragraphs. The parties have conferred, stipulated, and hereby request that the
22 Court enter their stipulation to continue the hearing date from October 3, 2014, to October 17,
23 2014.

24 3. Plaintiff ChriMar's motion to dismiss was originally noticed for a hearing on
25 September 26, 2014. The parties' previously stipulated to enlarge time for Defendants'
26 opposition to Plaintiff's motion to dismiss and to enlarge time for Plaintiff to file its reply (Dkt.
27 No. 211). While the parties' previous stipulation did not seek to alter the originally-noticed

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DECLARATION OF BRANDON M. JORDAN IN SUPPORT OF
THE PARTIES' STIPULATION TO CONTINUE THE HEARING
DATE FOR PLAINTIFF CHRIMAR'S MOTION TO DISMISS
COUNTERCLAIMS (DOCKET NO. 202)

Case No. 4:13-cv-1300-JSW

1 hearing date of September 26, 2014, on August 26, 2014, the Court issued an order granting the
 2 stipulated request, but also modifying the hearing date to October 3, 2014. (*See* Docket Text
 3 accompanying the Court's Order Granting the parties' stipulation to enlarge time for Defendants
 4 to oppose Plaintiff's motion to dismiss and Plaintiffs' reply at Dkt. No. 220).

5 4. Plaintiffs request this continuance due to a conflict with the October 3, 2014
 6 hearing date. Counsel for ChriMar has a hearing scheduled in Louisville, Kentucky on October
 7 2, 2014 in another matter which compromises counsel's ability to prepare and secure travel for
 8 appearance in California the following morning. I have conferred with counsel for the parties in
 9 this matter and confirmed that October 17, 2014 is the next available hearing date that does not
 10 conflict with the schedules of the parties' counsel.

11 5. The Court has previously granted a joint motion to extend the deadline to serve
 12 initial disclosures (Dkt. No. 124); Cisco's unopposed motion to extend the deadline for
 13 production under Patent L.R. 3-4(a) (Dkt. No. 148); HP's unopposed motion to extend the
 14 deadline for production under Patent L.R. 3-4(a) (Dkt. No. 149); a joint stipulation to extend the
 15 deadline for the Patent L.R. 4-2 exchange (Dkt. No. 154); and a joint stipulation to extend the
 16 briefing schedule of ChriMar's Defendants HP and Cisco's Monopolization and Section 17200
 17 Counterclaims and HP's Attempted Monopolization Counterclaim (Dkt. No. 220).

18 6. The requested continuance will not affect any other deadlines in this case.

19 7. I declare under penalty of perjury that the foregoing is true and correct.

20
 21 Dated: September 2, 2014

Respectfully submitted,

22
 23 /s/ Brandon M. Jordan
 24 Brandon M. Jordan

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ChriMar Systems Inc. et al.,
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v.
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~~PROPOSED~~ ORDER TO STIPULATION
TO CONTINUE THE HEARING DATE
FOR PLAINTIFF CHRIMAR'S MOTION
TO DISMISS COUNTERCLAIMS
(DOCKET NO. 202)

Judge: Honorable Jeffrey S. White
Magistrate Judge: Maria-Elena James

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Court hereby continues the current hearing date for Plaintiff's Motion to Dismiss Defendants HP and Cisco's Monopolization and Section 17200 Counterclaims and HP's Attempted Monopolization Counterclaim (Dkt. No. 202) from October 3, 2014 to October 17, 2014 at 9:00 a.m. Pacific time.

IT IS SO ORDERED.

Dated: September 3, 2014



Honorable Jeffrey S. White

United States District Court Judge